

Kevin M. Fitzpatrick, Esquire (VSB #30716)
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Counsel for Plaintiff Automotive Finance Corporation

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

IN RE:)
)
SALIM ZAMANI,) Case No. 17-11618-KHK
) (Chapter 7)
Debtor.)
)
)
AUTOMOTIVE FINANCE CORPORATION,)
)
Plaintiff,)
)
vs.) Adversary No. 1:17-ap-01085
) Judge: Klinette H. Kindred
SALIM ZAMANI,)
)
Defendant.)

**AFFIDAVIT OF KEVIN M. FITZPATRICK IN SUPPORT OF
PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT JUDGMENT**

COMMONWEALTH OF VIRGINIA,
AT LARGE, to-wit:

THIS DAY personally appeared before me, the undersigned Notary Public, Kevin M. Fitzpatrick, Esquire, who being duly sworn, stated the following:

1. My name is Kevin M. Fitzpatrick, and I am a member of The Fitzpatrick Law Office, P.C. I am the authorized agent for Plaintiff Automotive Finance Corporation ("Plaintiff") in this case, and I am duly licensed to practice law in the state of Virginia and in this Court.

2. On August 11, 2017, Plaintiff filed its *Complaint to Determine Dischargeability of Debt Pursuant to 11 U.S.C. §§ 523(a)(2), 523(a)(4), and 523(a)(6)* (the “Complaint”) against the Defendant Salim Zamani (“Defendant”).

3. On August 25, 2017, the Court issued an Alias Summons.

4. On August 28, 2017, I served the Alias Summons by U.S. mail on the Defendant; the Defendant’s attorney, Amir Raminpour, in his Chapter 7 case (Case No. 17-11618-KHK); and the Trustee in the Defendant’s Chapter 7 case. I filed a Certificate of Service of the Alias Summons on August 28, 2017.

5. The deadline for the Defendant to answer or otherwise respond to the Plaintiff’s Complaint was September 25, 2017. As of the date of the Plaintiff’s *Motion for Entry of Default Judgment*, the Defendant had not answered or otherwise responded to the Plaintiff’s Complaint.

6. The Clerk of the Bankruptcy Court entered a default against the Defendant on November 1, 2017.

7. Upon information and belief, the Defendant is not in the military service and protected by the Servicemembers Civil Relief Act, P.L. 108-109, nor is he an infant or an incompetent person.

8. As set forth in the *Declaration of Debt in Support of Plaintiff’s Motion for Entry of Default Judgment*, attached to the Plaintiff’s *Motion for Entry of Default Judgment* as Exhibit A, the amount due and owing from the Defendant to the Plaintiff is \$358,168.03, which is comprised of (a) \$344,335.32 in principal, (b) \$6,899.71 in interest, and (c) \$6,933 in fees.

9. The Plaintiff is not seeking attorneys' fees in this case.

/s/ Kevin M. Fitzpatrick
Kevin M. Fitzpatrick, Esquire

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX

The foregoing Affidavit was sworn to and acknowledged before this date, November 24, 2017, by Kevin M. Fitzpatrick, Esquire, authorized agent for Plaintiff Automotive Finance Corporation.

/s/ Layla Harb
Notary Public
Commonwealth of Virginia
Reg. # 353338
My Commission Expires: 6/30/2020